

Before the State of South Carolina
Department of Insurance

In the matter of:)	Consent Order Revoking
)	Insurance Agent's License
Thomas R. Ross,)	
)	Investigation File Number
1737 West Sandcroft Drive)	101415
Charleston, South Carolina 29407.)	

This matter comes before me pursuant to an agreement entered into between the State of South Carolina Department of Insurance and Thomas R. Ross, a licensed South Carolina resident insurance agent.

Ross hereby admits, and I find as fact, that, while licensed as an agent for Monumental Life Insurance Company, he failed to transmit promptly or pay all or a portion of the amount of an insurance premium when he received payment from a customer or insured. This action is a direct violation of S.C. Code Ann. § 38-43-130 (3) (Supp. 1999) and can ultimately lead to the revocation of his license to transact the business of insurance as an agent in South Carolina following a public hearing at the Administrative Law Judge Division.

Prior to the initiation of any administrative proceedings by the Department against him, Thomas R. Ross and the Department agreed, rather than proceed forward with a formal public hearing, to submit the entire matter to me, along with their specific recommendations, for my summary decision based solely upon the record. That mutual recommendation was that Thomas R. Ross would voluntarily surrender his license for revocation.

S.C. Code Ann. § 38-43-130 (Supp. 1997) provides, "The director or his designee may revoke or suspend an agent's license after ten days' notice or refuse to reissue a license when it appears that an agent has been convicted of a crime involving moral turpitude, has violated this title or any regulation promulgated by the department, or has willfully deceived or dealt unjustly with the citizens of this State." Subsection 3 of that Section goes on to define "willfully deceived or dealt unjustly with the citizens of this State" to include failing to transmit promptly to an insurer, an insurance premium when he received payment from a customer or insured."

After a thorough review of the record, carefully considering the recommendation of the parties and in accordance with my findings of fact, I now conclude, as a matter of law, that Thomas R. Ross fully deceived and dealt unjustly with a citizen of this State, thereby violating S.C. Code Ann. § 38-43-130 (3) (Supp. 1999) and that his resident insurance agent's license should be revoked.

RECEIVED
GENERAL COUNSEL

MAY 3 2000

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T.R.R. Thomas R. Ross

STATE OF SOUTH CAROLINA
DEPARTMENT OF INSURANCE

By his signature upon this Consent Order Revoking Insurance Agent's License, Thomas R. Ross acknowledges that he understands this administrative disciplinary order is a public record subject to the disclosure requirements of the State of South Carolina's Freedom of Information Act, S.C. Code Ann. § 30-40-10 et seq. (1991).

Nothing contained within this administrative disciplinary order should be construed to limit or to deprive any person of any private right of action under the law. Nothing contained within this administrative disciplinary order should be construed to limit, in any manner, the criminal jurisdiction of any law enforcement or judicial officer. Nothing contained within this administrative disciplinary order should be construed to limit the statutory duty, pursuant to S.C. Code Ann. § 38-3-110(4) (Supp. 1997), of the Director of Insurance, exercised either directly or through the Department of Insurance, to "report to the Attorney General or other appropriate law enforcement officials criminal violations of the law relative to the business of insurance or the provisions of this title which he considers necessary to report."

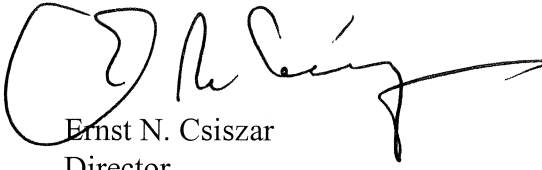
It is, therefore, ordered that the license of Thomas R. Ross shall, immediately, upon my date and signature upon this Consent Order Revoking Insurance Agent's License, surrender to the State of South Carolina Department of Insurance his insurance agent's license, issued to him through the State of South Carolina Department of Insurance.

It is further ordered that a copy of this Order Revoking Insurance Agent's License shall be transmitted to the National Association of Insurance Commissioners for distribution to its current member states and to each insurer for which Thomas R. Ross is currently licensed, through the State of South Carolina Department of Insurance, as a resident insurance agent within the State of South Carolina.

This Consent Order becomes effective as of the date of my signature below.

TAR Thomas R. Ross

May 4, 2000 at
Columbia, South Carolina


Ernst N. Csiszar
Director

I CONSENT:

Thomas R. Ross
Thomas R. Ross
1737 West Sandcroft Drive
Charleston, South Carolina 29407

Dated this 30th day of April, 2000